that the article so designated was a digestant of food, and the statements created the impression that Digestans would relieve wind colic, that it contained bitter stomach tonics which would stimulate the flow of gastric juices and that the ingredients named would accomplish the individual effects claimed for them; whereas Digestans was not a digestant of food, it would not relieve wind colic, it did not contain bitter stomach tonics that would stimulate the flow of gastric juices, and it would not accomplish the results attributed individually to oil of peppermint, gentian, ipecac, and rhubarb. (5) In that the outside container did not bear an accurate statement of the quantity of the contents with respect to Pond's Laxative Pills. (6) In that the tin and glassine envelope did not bear the common or usual names of the active ingredients of Pond's Laxative Pills.

On May 8, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

765. Misbranding of My-X-Ym. U. S. v. 28 Packages of My-X-Ym. Default decree of condemnation and destruction. (F. D. C. No. 7380. Sample No. 23391-E.)

On April 27, 1942, the United States attorney for the Northern District of California filed a libel against 28 packages of My-X-Ym at Salinas, Calif., alleging that the article had been shipped in interstate commerce on or about March 2, 1942, by My-X-Ym Food Enzymes Products from Chicago, Ill.; and charging that it was misbranded.

Analyses of samples of the article showed that it consisted essentially of ground senna pods, powdered milk, yeast, wheat bran, cornstarch, cacao powder, soybean tissues, and sugars including dextrose and sucrose.

The article was alleged to be misbranded: (1) In that its labeling failed to bear adequate warnings since it was a laxative and the label failed to warn that a laxative should not be taken in cases of nausea, vomiting, abdominal pain, or other symptoms of appendicitis; and that frequent or continued use of a laxative may result in dependence upon a laxative to move the bowels. (2) In that the directions which appeared in the labeling provided for continuous administration whereas a laxative should not be used continuously. (3) In that statements in the labeling which represented and suggested that it was an enzyme product and that when used as directed, it would balance the weight of the body, would be efficacious "for health," would supply a factor the absence of which causes many ailments to develop; would cause the glandular system to function properly and would restore energy and vigor; would prevent bacteria from forming toxic matter in the gastro-intestinal tract and would detoxify the system; that it was an adequate treatment for chronic angioneurotic edema, allergic eczema, pancreatic indigestion, allergic rhinitis, chronic allergic headache, allergic vomiting, chronic urticaria, allergic edema, allergic papular eczema, chronic allergic colitis, gastric and pancreatic achylia, acidosis, autointoxication, acne, appendicitis, bad breath, constipation, colitis, colds, catarrhal disease, gall bladder trouble, headache, neuritis, underweight, obesity, piles, rheumatism, stomach disorders, sluggishness, and spasmatic colon; that it was a preventive of catarrhal conditions of the sinuses, nose, ears, throat, bronchial tubes, lungs, stomach, liver, gall bladder, pancreas, intestines and colon, were false and misleading since it was not an enzyme product and would not be effective for the above-named diseases, symptoms, and conditions.

On June 18, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS [4]

DRUGS FOR HUMAN USE

766. Adulteration and misbranding of Adiron tablets; misbranding of Floramucin. U. S. v. Lawrence M. Williams (Lawrence Laboratories). Plea of guilty. Fine, $250 and costs. (F. D. C. No. 5531. Sample Nos. 60557-E to 60560-E, incl.)

The Adiron tablets were deficient in vitamins A and D, and the labeling of Floramucin bore false and misleading statements.

On February 27, 1942, the United States attorney for the Northern District of Illinois filed an information against Lawrence M. Williams, trading as Lawrence Laboratories at Chicago, Ill., alleging shipment in interstate commerce within the

[4] See also Nos. 755, 756, 759, 762.

period from on or about January 27 to on or about March 7, 1941, from the State of Illinois into the State of Washington of quantities of Floramucin which was misbranded, and of a quantity of Adiron which was adulterated and misbranded.

The Adiron was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported and was represented to possess since it was represented to contain in each tablet, 1,200 U. S. P. XI units of vitamin A and 180 U. S. P. XI units of vitamin D, but did contain not more than 300 U. S. P. XI units of vitamin A and not more than 100 U. S. P. XI units of vitamin D. It was alleged to be misbranded in that the statement on the label, "Adiron * * * Tablets, each contain * * * 1200 U. S. P. XI Units Vitamin 'A' 180 U. S. P. XI Units Vitamin 'D', " was false and misleading.

The information alleged that the Adiron was also adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 3338.

Analysis of a sample of Floramucin showed that it consisted essentially of the mucilaginous portion of psyllium seed, karaya gum, sugar, and dextrin.

Floramucin was alleged to be misbranded: (1) In that the statement (display card) "Detoxification aids in getting rid of the poisons," and those in an accompanying circular which represented and suggested that it would detoxify and aid in getting rid of poisons; that it would be efficacious in the treatment of biliousness, sore stomach, indigestion, intestinal stasis, excess gas, colitis, torpid liver, and stomach and intestinal troubles; that it would combat constipation and colitis without laxatives, implying that it was not a laxative; that it would keep the digestive tract vigorous and healthy and would restore it to vigor and health if it were impaired; that it would be efficacious to insure quick and effective relief from faulty elimination; would soothe and ease sore, inflamed, and irritated conditions of the intestinal lining and assist natural healing processes; would infiltrate into every wrinkle and fold of each pocket of the intestines and make movement of the entire mass of the feces more easy and aid by its bulk in setting up normal peristalsis; would detoxify by better elimination of stagnant and putrefactive matter and would induce complete evacuation without irritating laxatives; would aid in combating auto-intoxication and resulting self-poisoning and would help break the laxative habit; would enable the consumer to reduce the quantity of laxatives and cathartics used and finally eliminate the necessity for using it, were false and misleading since it would not be efficacious for such purposes. (2) In that the statements, "with dextrine for its well-known flora-changing properties in encouraging the growth of B. Acidophilus and similar friendly organisms in the colon," "Dosage varies from 2 to 5 teaspoonfuls daily," "An adjuvant Food—Not a Drug," "Without Laxatives," "A Mucin—Not a Gum The earlier attempts to aid nature in this direction were mere gums like Karaya, * * * Bulk—but nothing else," were false and misleading since they represented that in the dosage recommended, it would be efficacious in changing the flora in the intestines and encouraging the growth of *B. acidophilus* and similar friendly organisms; that it was not a drug nor a laxative; and that it did not contain a gum and was more than a bulk-producing laxative, but it would not be efficacious in changing the flora in the intestines or encouraging the growth of *B. acidophilus*, it did contain the mucilaginous part of psyllium seed and karaya gum, which are laxative drugs, and it was a bulk-producing laxative. (3) In that the statement of the active ingredients, "Hexose Mucinoid fraction of Plantago Ovata (East Indian psyllium) Dextrine, Karaya Gum and Raw Sugar," required by the law to appear on the label, was not prominently placed thereon in such terms as to render it likely to be understood by the ordinary individual under customary conditions of purchase and use, since the expression "Hexose Mucinoid fraction of Plantago Ovata (East Indian psyllium)" was not the common name of one of the ingredients, i. e., the mucilaginous part of psyllium seed; dextrin and raw sugar were not active ingredients as implied in said statement, and the statement of ingredients did not distinguish between its active and nonactive constituents.

On March 3, 1942, a plea of guilty was entered to all charges and the court imposed a fine of $250, which covered all counts of the information.

767. Adulteration and misbranding of thyroid powder. U. S. v. Martha E. Johnston (H. H. Johnston Laboratories) and Arthur V. Jones. Pleas of nolo contendere. Total net fines, $40; each defendant fined $100 of which $80 was suspended. (F. D. C. No. 6502. Sample No. 65865–E.)

On June 11, 1942, the United States attorney for the Southern District of California filed an information against Martha E. Johnston, trading as H. H. Johnston Laboratories at Hollywood, Calif., and Arthur V. Jones, manufacturing pharmacist and salesman for H. H. Johnston Laboratories, alleging shipment